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Jim Bumgardner

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ATALA, JAMIE JO

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/707,834	Applicant(s) BUMGARDNER ET AL.	
	Examiner JAMIE JO VENT ATALA	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,6,17 and 22-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,6,17 and 22-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection of Knudson et al (US 6,141,488) in view of Barton (US 6,490,722) in further view of Cooper et al (US 6,901,209).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 6, 17, and 22- 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al (US 6,141,488) in view of Cooper et al (US 6,901,209) in view of Barton (US 6,490,722).

[claim 1]

In regard to Claim 1, Knudson et al discloses a video recorder which has a method for transferring a broadcast signal to a storage device with an additional computer program comprising:

- Receiving multiple broadcast signals from corresponding multiple channels substantially simultaneously (Figure 1 shows a television distribution center

wherein multiple channels are broadcasted simultaneously as disclosed in Column 4 Lines 40+)

- Receiving instructions to transfer two or more timeslots on one or more channels to said storage device (Figure 3 receives various instructions regarding various timeslots and channels from the user who receives information about the timeslots and channels from Figure 2. Furthermore, it is well known in the art that in the recording environment, such as a VCR, allows the user to manually set timeslots due to personal recording preferences. Thereby meeting the limitations of user extended trail and lead timeslots. Additionally, Figure 5 shows the two time slots that are available on channels 4 and 5 respectively. The timeslots are separate entities as they are shown on varying channels and is treated by the system as such as further described in Column 7 Lines 40-57);
- Determining one or more solutions to said conflict, at least partly by considering the multiple broadcast signals (Figure 3 Elements 72, 74, and 76 are solutions to the conflict and further described in Column 2 Lines 45+);
- Providing a user an opportunity to choose one of said solutions to said conflict (Figure 3 Element 72 and 74 allows user to choose solution to conflict); and
- Resolving said conflict automatically, if said user does not choose one of said solutions, (Figure 3 Element 76 no response from user prompts system to automatically resolve conflict); however, fails to disclose
 - Receiving instructions to transfer two or more timeslots on one or more channels to the storage device, wherein each of the timeslots corresponds to a program broadcast on a respective channel, and wherein first and second of the timeslots each includes at least a core

portion of the first time slot or user extended trail portion following the core portion of the first timeslot wherein each of the timeslot portions is processed as a separate entity

- Determining whether the instructions require at least portions of the first and second timeslots to be transferred to the storage device at the same time and thereby cause a conflict between the first and second time slots
- Resolving conflict automatically, when the user does not choose one of the solutions, by assigning priorities to each of the timeslots, wherein the priorities indicate which the time slots are transferred to the storage device when a conflict is detected wherein priorities are assigned automatically by
 - Determining whether the first one of the timeslots has user extended lead or trail portions
 - Assigning a priority to first timeslot that is higher than a priority assigned to the second timeslot when the first timeslot is determined to include a user extended trail portion and
 - Otherwise assigning a priority to the second timeslot that is higher than the priority assigned to the first timeslot when the first timeslot the user extended lead portion

Cooper et al teaches a system for program viewing further comprising:

- Receiving instructions to transfer two or more timeslots on one or more channels to the storage device, wherein each of the timeslots

corresponds to a program broadcast on a respective channel (Column 10 Lines 27+ describes the timeslots that are based on priorities as further seen in Figure 4);

- Determining whether the instructions require at least portions of the first and second timeslots to be transferred to the storage device at the same time and thereby cause a conflict between the first and second time slots (Column 10 Lines 27+ further describes the transferring of the data and the overwriting of the data based on priority);
- Resolving conflict automatically, when the user does not choose one of the solutions, by assigning priorities to each of the timeslots, wherein the priorities indicate which the time slots are transferred to the storage device when a conflict is detected wherein priorities are assigned automatically by (Column 27 Lines 27+ describes the system automatically resolving conflict based on priority as set by the user).

Thereby it is shown that Cooper teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select programs for recording. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson, and further incorporate a system to resolve conflict based on recording priorities, as taught by Cooper et al, in order to allow for effective system and user control over the scheduled recordings.

Barton teaches a system for processing broadcast data further comprising:

- Determining whether the first one of the timeslots has user extended lead or trail portions (Column 17 Lines 30-43 describe timeslots having various priorities depending on selection of the user or recurring scheduled events by the user. As stated the priority of the programs can arrange from any program material from a core timeslot to a commercial. It is further discussed the processing of the programs based on priority as described in Column 16 Lines 5-67);
- Assigning a priority to first timeslot that is higher than a priority assigned to the second timeslot when the first timeslot is determined to include a user extended trail portion and otherwise assigning a priority to the second timeslot that is higher than the priority assigned to the first timeslot when the first timeslot the user extended lead portion (Column 19 Lines 7-67 through Column 20 Lines 1-49 describe the resolving of a conflict based on user extended time slots wherein the user has the ability to resolve the conflict by shortening recording and storage time as further seen in Figure 7).

Thereby it is shown that Barton teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select and automatically time shift programs to deal with potential conflicts (Column 4 Lines 27-44).

Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson in view of Cooper et al, and further incorporate a system to resolve conflict based on recording priorities,

as taught by Barton, in order to allow for effective system and user control over the scheduled recordings.

[claim 3]

In regard to Claim 3, Knudson et al discloses a video recorder which has a method for transferring a broadcast signal to a storage device with an additional computer program comprising:

- Receiving multiple broadcast signals from corresponding multiple channels substantially simultaneously (Figure 1 shows a television distribution center wherein multiple channels are broadcasted simultaneously as disclosed in Column 4 Lines 40+)
- Receiving instructions to transfer two or more timeslots on one or more channels to said storage device, a first one of said timeslots including a user extended lead timeslot or a user extended trail timeslot wherein the timeslots are treated as separate entity (Figure 3 receives various instructions regarding various timeslots and channels from the user who receives information about the timeslots and channels from Figure 2. Furthermore, it is well known in the art that in the recording environment, such as a VCR, allows the user to manually set timeslots due to personal recording preferences. Thereby meeting the limitations of user extended trail and lead timeslots. Additionally, Figure 5 shows the two time slots that are available on channels 4 and 5 respectively. The timeslots are separate entities as they are shown on varying channels and is treated by the system as such as further described in Column 7 Lines 40-57);
- Determining if said instructions cause a conflict (Figure 3 Element 70 a conflict is determined);

- Determining one or more solutions to said conflict, at least partly by considering the multiple broadcast signals (Figure 3 Elements 72, 74, and 76 are solutions to the conflict and further described in Column 2 Lines 45+);
- Providing a user an opportunity to choose one of said solutions to said conflict (Figure 3 Element 72 and 74 allows user to choose solution to conflict); however, fails to disclose
 - Receiving instructions to transfer two or more timeslots on one or more channels to the storage device, wherein each of the timeslots corresponds to a program broadcast on a respective channel, and wherein first and second of the timeslots each includes at least a core portion of the first time slot or user extended trail portion following the core portion of the first timeslot wherein each of the timeslot portions is processed as a separate entity
 - Determining whether the instructions require at least portions of the first and second timeslots to be transferred to the storage device at the same time and thereby cause a conflict between the first and second time slots
 - Resolving conflict automatically, when the user does not choose one of the solutions, by assigning priorities to each of the timeslots, wherein the priorities indicate which the time slots are transferred to the storage device when a conflict is detected wherein priorities are assigned automatically by
 - Determining whether the first one of the timeslots has user extended lead or trail portions

- Assigning a priority to first timeslot that is higher than a priority assigned to the second timeslot when the first timeslot is determined to include a user extended trail portion and
- Otherwise assigning a priority to the second timeslot that is higher than the priority assigned to the first timeslot when the first timeslot the user extended lead portion

Cooper et al teaches a system for program viewing further comprising:

- Receiving instructions to transfer two or more timeslots on one or more channels to the storage device, wherein each of the timeslots corresponds to a program broadcast on a respective channel (Column 10 Lines 27+ describes the timeslots that are based on priorities as further seen in Figure 4);
- Determining whether the instructions require at least portions of the first and second timeslots to be transferred to the storage device at the same time and thereby cause a conflict between the first and second time slots (Column 10 Lines 27+ further describes the transferring of the data and the overwriting of the data based on priority);
- Resolving conflict automatically, when the user does not choose one of the solutions, by assigning priorities to each of the timeslots, wherein the priorities indicate which the time slots are transferred to the storage device when a conflict is detected wherein priorities are assigned automatically by (Column 27 Lines 27+ describes the

system automatically resolving conflict based on priority as set by the user).

Thereby it is shown that Cooper teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select programs for recording. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson, and further incorporate a system to resolve conflict based on recording priorities, as taught by Cooper et al, in order to allow for effective system and user control over the scheduled recordings.

Barton teaches a system for processing broadcast data further comprising:

- Determining whether the first one of the timeslots has user extended lead or trail portions (Column 17 Lines 30-43 describe timeslots having various priorities depending on selection of the user or recurring scheduled events by the user. As stated the priority of the programs can arrange from any program material from a core timeslot to a commercial. It is further discussed the processing of the programs based on priority as described in Column 16 Lines 5-67);
- Assigning a priority to first timeslot that is higher than a priority assigned to the second timeslot when the first timeslot is determined to include a user extended trail portion and otherwise assigning a priority to the second timeslot that is higher than the priority assigned to the first timeslot when the first timeslot the user extended lead portion (Column 19 Lines

7-67 through Column 20 Lines 1-49 describe the resolving of a conflict based on user extended time slots wherein the user has the ability to resolve the conflict by shortening recording and storage time as further seen in Figure 7).

Thereby it is shown that Barton teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select and automatically time shift programs to deal with potential conflicts (Column 4 Lines 27-44).

Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson in view of Cooper et al, and further incorporate a system to resolve conflict based on recording priorities, as taught by Barton, in order to allow for effective system and user control over the scheduled recordings.

[claim 6]

In regard to Claim 6, Knudson et al discloses a video recorder which has a method for transferring a broadcast signal to a storage device with an additional computer program comprising:

- Receiving multiple broadcast signals from corresponding multiple channels substantially simultaneously (Figure 1 shows a television distribution center wherein multiple channels are broadcasted simultaneously as disclosed in Column 4 Lines 40+)
- Receiving instructions to transfer two or more timeslots on one or more channels to said storage device, a first one of said timeslots including a user extended lead timeslot or a user extended trail timeslot wherein the timeslots are treated as separate entity (Figure 3 receives various instructions regarding various timeslots

and channels from the user who receives information about the timeslots and channels from Figure 2. Furthermore, it is well known in the art that in the recording environment, such as a VCR, allows the user to manually set timeslots due to personal recording preferences. Thereby meeting the limitations of user extended trail and lead timeslots. Additionally, Figure 5 shows the two time slots that are available on channels 4 and 5 respectively. The timeslots are separate entities as they are shown on varying channels and is treated by the system as such as further described in Column 7 Lines 40-57);

- Determining if said instructions cause a conflict (Figure 3 Element 70 a conflict is determined);
- Determining a plurality of solutions to said conflict, at least partly by considering the multiple broadcast signals (Figure 3 Elements 72, 74, and 76 are solutions to the conflict and further described in Column 2 Lines 45+);
- examining each timeslot (Figure 7a Element 102
- Establishing cumulative priority for each of said solutions based on each timeslot (Figure 7a Element 104); and
- Determining and choosing one or two lowest priority solutions to said conflict based on cumulative priority and present to user (Figure 7a Elements 106 and 108).
- Providing a user an opportunity to choose one of said solutions to said conflict (Figure 3 Element 72 and 74 allows user to choose solution to conflict); however, fails to disclose
 - Receiving instructions to transfer two or more timeslots on one or more channels to the storage device, wherein each of the timeslots

corresponds to a program broadcast on a respective channel, and wherein first and second of the timeslots each includes at least a core portion of the first time slot or user extended trail portion following the core portion of the first timeslot wherein each of the timeslot portions is processed as a separate entity

- Determining whether the instructions require at least portions of the first and second timeslots to be transferred to the storage device at the same time and thereby cause a conflict between the first and second time slots
- Resolving conflict automatically, when the user does not choose one of the solutions, by assigning priorities to each of the timeslots, wherein the priorities indicate which the time slots are transferred to the storage device when a conflict is detected wherein priorities are assigned automatically by
 - Determining whether the first one of the timeslots has user extended lead or trail portions
 - Assigning a priority to first timeslot that is higher than a priority assigned to the second timeslot when the first timeslot is determined to include a user extended trail portion and
 - Otherwise assigning a priority to the second timeslot that is higher than the priority assigned to the first timeslot when the first timeslot the user extended lead portion

Cooper et al teaches a system for program viewing further comprising:

- Receiving instructions to transfer two or more timeslots on one or more channels to the storage device, wherein each of the timeslots corresponds to a program broadcast on a respective channel (Column 10 Lines 27+ describes the timeslots that are based on priorities as further seen in Figure 4);
- Determining whether the instructions require at least portions of the first and second timeslots to be transferred to the storage device at the same time and thereby cause a conflict between the first and second time slots (Column 10 Lines 27+ further describes the transferring of the data and the overwriting of the data based on priority);
- Resolving conflict automatically, when the user does not choose one of the solutions, by assigning priorities to each of the timeslots, wherein the priorities indicate which the time slots are transferred to the storage device when a conflict is detected wherein priorities are assigned automatically by (Column 27 Lines 27+ describes the system automatically resolving conflict based on priority as set by the user).

Thereby it is shown that Cooper teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select programs for recording. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson, and further incorporate a system to resolve conflict based on recording priorities, as

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taught by Cooper et al, in order to allow for effective system and user control over the scheduled recordings.

Barton teaches a system for processing broadcast data further comprising:

- Determining whether the first one of the timeslots has user extended lead or trail portions (Column 17 Lines 30-43 describe timeslots having various priorities depending on selection of the user or recurring scheduled events by the user. As stated the priority of the programs can arrange from any program material from a core timeslot to a commercial. It is further discussed the processing of the programs based on priority as described in Column 16 Lines 5-67);
- Assigning a priority to first timeslot that is higher than a priority assigned to the second timeslot when the first timeslot is determined to include a user extended trail portion and otherwise assigning a priority to the second timeslot that is higher than the priority assigned to the first timeslot when the first timeslot the user extended lead portion (Column 19 Lines 7-67 through Column 20 Lines 1-49 describe the resolving of a conflict based on user extended time slots wherein the user has the ability to resolve the conflict by shortening recording and storage time as further seen in Figure 7).

Thereby it is shown that Barton teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select and automatically time shift programs to deal with potential conflicts (Column 4 Lines 27-44).

Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson in view of Cooper et al, and further incorporate a system to resolve conflict based on recording priorities, as taught by Barton, in order to allow for effective system and user control over the scheduled recordings.

[claim 17]

In regard to Claim 17, Knudson et al discloses a video recorder comprising:

- a means for receiving multiple broadcast signals from corresponding multiple channels substantially simultaneously (Figure 1 shows a television distribution center wherein multiple channels are broadcasted simultaneously as disclosed in Column 4 Lines 40+)
- a means for receiving instructions to transfer two or more timeslots on one or more channels to said storage device, a first one of said timeslots including a user extended lead timeslot or a user extended trail timeslot wherein the timeslots are treated as separate entity (Figure 3 receives various instructions regarding various timeslots and channels from the user who receives information about the timeslots and channels from Figure 2. Furthermore, it is well known in the art that in the recording environment, such as a VCR, allows the user to manually set timeslots due to personal recording preferences. Thereby meeting the limitations of user extended trail and lead timeslots. Additionally, Figure 5 shows the two time slots that are available on channels 4 and 5 respectively. The timeslots are separate entities as they are shown on varying channels and is treated by the system as such as further described in Column 7 Lines 40-57);

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- means for finding one or more solutions to said conflict, at least partly by considering the multiple broadcast signals (Figure 3 Elements 72, 74, and 76 are solutions to the conflict and further described in Column 2 Lines 45+);
- means for generating one or more solutions to said conflict, at least partly by considering the multiple broadcast signals (Figure 3 Elements 72, 74, and 76 are solutions to the conflict and further described in Column 2 Lines 45+);
- means for giving a user opportunity to choose one of said solutions to said conflict (Figure 3 Element 72 and 74 allows user to choose solution to conflict); however, fails to disclose
 - Receiving instructions to transfer two or more timeslots on one or more channels to the storage device, wherein each of the timeslots corresponds to a program broadcast on a respective channel, and wherein first and second of the timeslots each includes at least a core portion of the first time slot or user extended trail portion following the core portion of the first timeslot wherein each of the timeslot portions is processed as a separate entity
 - Determining whether the instructions require at least portions of the first and second timeslots to be transferred to the storage device at the same time and thereby cause a conflict between the first and second time slots
 - Resolving conflict automatically, when the user does not choose one of the solutions, by assigning priorities to each of the timeslots, wherein the priorities indicate which the time slots are transferred to

the storage device when a conflict is detected wherein priorities are assigned automatically by

- Determining whether the first one of the timeslots has user extended lead or trail portions
- Assigning a priority to first timeslot that is higher than a priority assigned to the second timeslot when the first timeslot is determined to include a user extended trail portion and
- Otherwise assigning a priority to the second timeslot that is higher than the priority assigned to the first timeslot when the first timeslot the user extended lead portion

Cooper et al teaches a system for program viewing further comprising:

- Receiving instructions to transfer two or more timeslots on one or more channels to the storage device, wherein each of the timeslots corresponds to a program broadcast on a respective channel (Column 10 Lines 27+ describes the timeslots that are based on priorities as further seen in Figure 4);
- Determining whether the instructions require at least portions of the first and second timeslots to be transferred to the storage device at the same time and thereby cause a conflict between the first and second time slots (Column 10 Lines 27+ further describes the transferring of the data and the overwriting of the data based on priority);

- Resolving conflict automatically, when the user does not choose one of the solutions, by assigning priorities to each of the timeslots, wherein the priorities indicate which the time slots are transferred to the storage device when a conflict is detected wherein priorities are assigned automatically by (Column 27 Lines 27+ describes the system automatically resolving conflict based on priority as set by the user).

Thereby it is shown that Cooper teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select programs for recording. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson, and further incorporate a system to resolve conflict based on recording priorities, as taught by Cooper et al, in order to allow for effective system and user control over the scheduled recordings.

Barton teaches a system for processing broadcast data further comprising:

- Determining whether the first one of the timeslots has user extended lead or trail portions (Column 17 Lines 30-43 describe timeslots having various priorities depending on selection of the user or recurring scheduled events by the user. As stated the priority of the programs can arrange from any program material from a core timeslot to a commercial. It is further discussed the processing of the programs based on priority as described in Column 16 Lines 5-67);

- Assigning a priority to first timeslot that is higher than a priority assigned to the second timeslot when the first timeslot is determined to include a user extended trail portion and otherwise assigning a priority to the second timeslot that is higher than the priority assigned to the first timeslot when the first timeslot the user extended lead portion (Column 19 Lines 7-67 through Column 20 Lines 1-49 describe the resolving of a conflict based on user extended time slots wherein the user has the ability to resolve the conflict by shortening recording and storage time as further seen in Figure 7).

Thereby it is shown that Barton teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select and automatically time shift programs to deal with potential conflicts (Column 4 Lines 27-44).

Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson in view of Cooper et al, and further incorporate a system to resolve conflict based on recording priorities, as taught by Barton, in order to allow for effective system and user control over the scheduled recordings.

[claim 22]

In regard to Claim 22, Knudson et al discloses a method, as recited in claim 1, wherein said additional step of determining if said instructions cause a conflict; however, fails to disclose

- determining if a conflict exists if a number of available tuners is less than the resources required to completely transfer a plurality of timeslots to be transferred to said storage device
- resolving the conflict by selecting the first priority as the higher priority if the first one of said timeslots is a user extended trail time slot such the second one of said timeslots is transferred to a system queue and wherein the conflict is resolved by selecting the second priority as the higher priority if the first one of said timeslots is a user extended lead timeslot such that the first one of said timeslots is transferred to the system queue.

Barton teaches a system for processing broadcast data further comprising:

- determining if a conflict exists if a number of available tuners is less than the resources required to completely transfer a plurality of timeslots to be transferred to said storage device (Column 19 Lines 5-67 describe the available input sources/tuners available for timeslots and recording of the programs);
- resolving the conflict by selecting the first priority as the higher priority if the first one of said timeslots is a user extended trail time slot such the second one of said timeslots is transferred to a system queue and wherein the conflict is resolved by selecting the second priority as the higher priority if the first one of said timeslots is a user extended lead timeslot such that the first one of said timeslots is transferred to the system queue (Column 19 Lines 7-67 through Column 20 Lines 1-49 describe automatically resolving the conflict based on set priorities

within the system as further seen in Figure 7. Furthermore it is noted Column 13 Lines 5-30 describe that the information is stored into the system queue for further conflict resolution).

Thereby it is shown that Barton teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select and automatically time shift programs to deal with potential conflicts (Column 4 Lines 27-44).

Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson, and further incorporate a system to resolve conflict based on recording priorities, as taught by Barton, in order to allow for effective system and user control over the scheduled recordings.

[claim 23]

In regard to Claim 23, Knudson et al discloses a video recorder as recited in Claim 1; however, fails to disclose

- the means for providing a system queue, wherein the system queue, wherein the system queue receives one of the first timeslot or the second timeslot that is not used to solve said conflict.

Barton teaches a recording system further comprising:

- the means for providing a system queue, wherein the system queue, wherein the system queue receives one of the first timeslot or the second timeslot that is not used to solve said conflict (Column 13 Lines 10-67 describe the information to be queued regarding timeslots and conflict resolution for the system).

It is taught by Barton that a queue of available programs for recording is used to determine the next available program to record or process for proper streaming and manipulation of program

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data based on conflict resolution. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the video recording system, as disclosed by Knudson et al , and teach the system to provide a programming queue, as taught by Barton, in order to provide proper manipulation of recording schedule as conflicts arise.

[claim 24]

In regard to Claim 24, Knudson et al discloses a video recorder which has a method for transferring a broadcast signal to a storage device with an additional computer program comprising:

- Receiving multiple broadcast signals from corresponding multiple channels substantially simultaneously (Figure 1 shows a television distribution center wherein multiple channels are broadcasted simultaneously as disclosed in Column 4 Lines 40+)
- Receiving instructions to transfer two or more timeslots on one or more channels to said storage device, a first one of said timeslots including a user extended lead timeslot or a user extended trail timeslot wherein the timeslots are treated as separate entity (Figure 3 receives various instructions regarding various timeslots and channels from the user who receives information about the timeslots and channels from Figure 2. Furthermore, it is well known in the art that in the recording environment, such as a VCR, allows the user to manually set timeslots due to personal recording preferences. Thereby meeting the limitations of user extended trail and lead timeslots. Additionally, Figure 5 shows the two time slots that are available on channels 4 and 5 respectively. The timeslots are separate entities as they are shown on varying channels and is treated by the system as such as further described in Column 7 Lines 40-57);

- Determining if said instructions cause a conflict (Figure 3 Element 70 a conflict is determined);
- Determining one or more solutions to said conflict, at least partly by considering the multiple broadcast signals (Figure 3 Elements 72, 74, and 76 are solutions to the conflict and further described in Column 2 Lines 45+);
- Providing a user an opportunity to choose one of said solutions to said conflict (Figure 3 Element 72 and 74 allows user to choose solution to conflict); and
- Resolving said conflict automatically, if said user does not choose one of said solutions, by choosing either said first or second timeslot (Figure 3 Element 76 no response from user prompts system to automatically resolve conflict);
however, fails to disclose
 - Receiving instructions to transfer two or more timeslots on one or more channels to the storage device, wherein each of the timeslots corresponds to a program broadcast on a respective channel, and wherein first and second of the timeslots each includes at least a core portion of the first time slot or user extended trail portion following the core portion of the first timeslot wherein each of the timeslot portions is processed as a separate entity
 - Determining whether the instructions require at least portions of the first and second timeslots to be transferred to the storage device at the same time and thereby cause a conflict between the first and second time slots
 - Resolving conflict automatically, when the user does not choose one of the solutions, by assigning priorities to each of the timeslots,

wherein the priorities indicate which the time slots are transferred to the storage device when a conflict is detected wherein priorities are assigned automatically by

- Determining whether the first one of the timeslots has user extended lead or trail portions
- Assigning a priority to first timeslot that is higher than a priority assigned to the second timeslot when the first timeslot is determined to include a user extended trail portion and
- Otherwise assigning a priority to the second timeslot that is higher than the priority assigned to the first timeslot when the first timeslot the user extended lead portion

Cooper et al teaches a system for program viewing further comprising:

- Receiving instructions to transfer two or more timeslots on one or more channels to the storage device, wherein each of the timeslots corresponds to a program broadcast on a respective channel (Column 10 Lines 27+ describes the timeslots that are based on priorities as further seen in Figure 4);
- Determining whether the instructions require at least portions of the first and second timeslots to be transferred to the storage device at the same time and thereby cause a conflict between the first and second time slots (Column 10 Lines 27+ further describes the transferring of the data and the overwriting of the data based on priority);

- Resolving conflict automatically, when the user does not choose one of the solutions, by assigning priorities to each of the timeslots, wherein the priorities indicate which the time slots are transferred to the storage device when a conflict is detected wherein priorities are assigned automatically by (Column 27 Lines 27+ describes the system automatically resolving conflict based on priority as set by the user).

Thereby it is shown that Cooper teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select programs for recording. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson, and further incorporate a system to resolve conflict based on recording priorities, as taught by Cooper et al, in order to allow for effective system and user control over the scheduled recordings.

Barton teaches a system for processing broadcast data further comprising:

- Determining whether the first one of the timeslots has user extended lead or trail portions (Column 17 Lines 30-43 describe timeslots having various priorities depending on selection of the user or recurring scheduled events by the user. As stated the priority of the programs can arrange from any program material from a core timeslot to a commercial. It is further discussed the processing of the programs based on priority as described in Column 16 Lines 5-67);

- Assigning a priority to first timeslot that is higher than a priority assigned to the second timeslot when the first timeslot is determined to include a user extended trail portion and otherwise assigning a priority to the second timeslot that is higher than the priority assigned to the first timeslot when the first timeslot the user extended lead portion (Column 19 Lines 7-67 through Column 20 Lines 1-49 describe the resolving of a conflict based on user extended time slots wherein the user has the ability to resolve the conflict by shortening recording and storage time as further seen in Figure 7).

Thereby it is shown that Barton teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select and automatically time shift programs to deal with potential conflicts (Column 4 Lines 27-44).

Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson in view of Cooper et al, and further incorporate a system to resolve conflict based on recording priorities, as taught by Barton, in order to allow for effective system and user control over the scheduled recordings.

[claim 25]

In regard to Claim 25, Knudson et al discloses a video recorder which has a method for transferring a broadcast signal to a storage device with an additional computer program comprising:

- means for receiving multiple broadcast signals from corresponding multiple channels substantially simultaneously (Figure 1 shows a television distribution center wherein multiple channels are broadcasted simultaneously as disclosed in Column 4 Lines 40+)
- means for receiving instructions to transfer two or more timeslots on one or more channels to said storage device, a first one of said timeslots including a user extended lead timeslot or a user extended trail timeslot wherein the timeslots are treated as separate entity (Figure 3 receives various instructions regarding various timeslots and channels from the user who receives information about the timeslots and channels from Figure 2. Furthermore, it is well known in the art that in the recording environment, such as a VCR, allows the user to manually set timeslots due to personal recording preferences. Thereby meeting the limitations of user extended trail and lead timeslots. Additionally, Figure 5 shows the two time slots that are available on channels 4 and 5 respectively. The timeslots are separate entities as they are shown on varying channels and is treated by the system as such as further described in Column 7 Lines 40-57);
- means for finding one or more solutions to said conflict, at least partly by considering the multiple broadcast signals (Figure 3 Elements 72, 74, and 76 are solutions to the conflict and further described in Column 2 Lines 45+);
- means for giving a user an opportunity to choose one of said solutions to said conflict (Figure 3 Element 72 and 74 allows user to choose solution to conflict); however, fails to disclose
 - Receiving instructions to transfer two or more timeslots on one or more channels to the storage device, wherein each of the timeslots

corresponds to a program broadcast on a respective channel, and wherein first and second of the timeslots each includes at least a core portion of the first time slot or user extended trail portion following the core portion of the first timeslot wherein each of the timeslot portions is processed as a separate entity

- Determining whether the instructions require at least portions of the first and second timeslots to be transferred to the storage device at the same time and thereby cause a conflict between the first and second time slots
- Resolving conflict automatically, when the user does not choose one of the solutions, by assigning priorities to each of the timeslots, wherein the priorities indicate which the time slots are transferred to the storage device when a conflict is detected wherein priorities are assigned automatically by
 - Determining whether the first one of the timeslots has user extended lead or trail portions
 - Assigning a priority to first timeslot that is higher than a priority assigned to the second timeslot when the first timeslot is determined to include a user extended trail portion and
 - Otherwise assigning a priority to the second timeslot that is higher than the priority assigned to the first timeslot when the first timeslot the user extended lead portion

Cooper et al teaches a system for program viewing further comprising:

- Receiving instructions to transfer two or more timeslots on one or more channels to the storage device, wherein each of the timeslots corresponds to a program broadcast on a respective channel (Column 10 Lines 27+ describes the timeslots that are based on priorities as further seen in Figure 4);
- Determining whether the instructions require at least portions of the first and second timeslots to be transferred to the storage device at the same time and thereby cause a conflict between the first and second time slots (Column 10 Lines 27+ further describes the transferring of the data and the overwriting of the data based on priority);
- Resolving conflict automatically, when the user does not choose one of the solutions, by assigning priorities to each of the timeslots, wherein the priorities indicate which the time slots are transferred to the storage device when a conflict is detected wherein priorities are assigned automatically by (Column 27 Lines 27+ describes the system automatically resolving conflict based on priority as set by the user).

Thereby it is shown that Cooper teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select programs for recording. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson, and further incorporate a system to resolve conflict based on recording priorities, as

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taught by Cooper et al, in order to allow for effective system and user control over the scheduled recordings.

Barton teaches a system for processing broadcast data further comprising:

- Determining whether the first one of the timeslots has user extended lead or trail portions (Column 17 Lines 30-43 describe timeslots having various priorities depending on selection of the user or recurring scheduled events by the user. As stated the priority of the programs can arrange from any program material from a core timeslot to a commercial. It is further discussed the processing of the programs based on priority as described in Column 16 Lines 5-67);
- Assigning a priority to first timeslot that is higher than a priority assigned to the second timeslot when the first timeslot is determined to include a user extended trail portion and otherwise assigning a priority to the second timeslot that is higher than the priority assigned to the first timeslot when the first timeslot the user extended lead portion (Column 19 Lines 7-67 through Column 20 Lines 1-49 describe the resolving of a conflict based on user extended time slots wherein the user has the ability to resolve the conflict by shortening recording and storage time as further seen in Figure 7).

Thereby it is shown that Barton teaches a system for recording information based on priority found through the user or the system to allow the viewer the ability to properly select and automatically time shift programs to deal with potential conflicts (Column 4 Lines 27-44).

Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to use the video recorder having various timeslot resolutions, as disclosed by Knudson in view of Cooper et al, and further incorporate a system to resolve conflict based on recording priorities, as taught by Barton, in order to allow for effective system and user control over the scheduled recordings.

[claim 26]

In regard to Claim 26, Cooper et al discloses a method wherein the step of providing the user an opportunity further comprises receiving an indication to resolve the conflict automatically (Column 7 Lines 14+ describes the system indicating the resolving of various conflicts involved with the system).

[claim 27]

In regard to Claim 27, Cooper et al discloses a video recorder wherein the step of providing the user an opportunity further comprises receiving an indication to resolve the conflict automatically (Column 7 Lines 14+ describes the system indicating the resolving of various conflicts involved with the system).

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to hot whose telephone number is (571)272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. Effective July 15, 2005, the Central Fax Number will change to 571-273-8300. Faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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